

REMARKS

The foregoing preliminary amendments submitted in conjunction with Applicant's Request for Continued Examination overcome the rejections of the Examiner in the final office action mailed June 3, 2003. The Examiner rejected all pending claims under 35 U.S.C. § 103(a) in view of Gosselin, Yamane, and other assorted references. Applicant respectfully traverses in view of the foregoing amendments and following remarks.

The presently claimed invention requires that the releasing agent layer be formed of a non-silicone based releasing agent selected from the group consisting of polyolefin-based thermoplastic elastomers, olefin-based thermoplastic elastomers, fluororesins, waxes, alkyd resins, and mixtures thereof, and that the thermal transfer printed layer be formed of a thermo-melting resin containing a vehicle including one of a pigment or a dye, wherein the thermal transfer printed layer formed of the thermo-melting resin is not only appropriately adhered onto the releasing agent layer but also adapted to be reliably peeled off from the releasing agent layer and then transferred to a pressure sensitive adhesive layer of the pressure sensitive adhesive label when the release sheet is peeled off from the pressure sensitive adhesive label.

The combination of the non-silicone based releasing agent layer and the thermal transfer printed layer makes it possible to provide a printed layer that is not only appropriately adhered onto the releasing agent layer but also adapted to be reliably peeled off from the releasing agent layer and then transferred to a pressure sensitive adhesive layer of the pressure sensitive adhesive label when the release sheet is peeled off from the pressure sensitive adhesive label. In other words, the combination

of the non-silicone based releasing agent layer and the thermal transfer printed layer is particularly suited for a pressure sensitive adhesive label with a release sheet for indicating various information as claimed.

In contrast, Gosselin et. al. (5,885,677) does not disclose or teach the non-silicone based releasing agent used in the present invention. Moreover, Gosselin does not teach a thermal transfer printed layer formed of a thermo-melting resin containing a vehicle such as a pigment or dye. The Examiner mistakenly characterizes the "barrier medium" disclosed in Gosselin as a thermal transfer printed layer. In fact, the "barrier medium" refers to a compound capable of blocking the migration or diffusion of an additive from the adhesive layer to a substrate. The pigment or dye is contained in the adhesive layer rather than in a thermal transfer layer of a release sheet, as required by Applicant's claims. Moreover, Gosselin does not suggest or teach a thermal transfer printed layer formed of a thermo-melting resin containing a vehicle such as pigment or dye.

Adding Yamane to Gosselin does not cure these deficiencies. Instead, Yamane, like Gosselin, does not teach or suggest a release sheet containing a thermal transfer printed layer formed of a thermo-melting resin containing a vehicle such as pigment or dye. Rather, Yamane teaches forming an ink image on a hot melting type adhesive layer (See column 6, lines 5-6). The ink image is not formed directly on the releasable layer as in the claimed invention. Further, Yamane does not teach or suggest transfer of the ink image to a pressure sensitive adhesive layer, as required by the claimed invention. Instead, Yamane teaches the direct transfer of the ink image to a receiving

member by applying heat and pressure. Accordingly, the combination of Gosselin and Yamane does not teach or suggest the desired relationship between the thermal transfer printed layer and the releasing agent layer particularly suited for such a printed layer, as claimed.

Adding JP 09-175051 to the combination of Gosselin and Yamane still does not teach or suggest the presently claimed invention. JP 051 discloses forming a printed image on a printed image-forming surface of a printed image receptor, which is formed of a non-silicone based releasing agent, in which the printed image is formed by thermal transfer using a thermal transfer printing material having a hot met ink layer in which its vehicle consists of an epoxy resin. However, the object of JP 051 is to provide a printed image having improved scratch resistance (anti-crocking property or anti-smear property). In other words, the object of JP 051 is to provide a printed image that is **difficult to be** peeled off from the printed image-forming surface (releasing agent layer). In other words, JP 051 does not teach or suggest the printed image that is reliably peeled off from the releasing agent layer and then transferred to a pressure sensitive adhesive layer of the pressure sensitive adhesive label when the release sheet is peeled off from the pressure sensitive adhesive label, as required by the present claims. Therefore, even if this reference is combined with the proposed combination of Gosselin and Yamane, one skilled in the art would still not arrive at the presently claimed invention.

As for the rejection of claims 10 and 11, because they depend from claim 8, which as stated above is not obvious in view of the Examiner's proposed combination,

present claims 10 and 11 are believed to be allowable. In any event, the Examiner recognizes that the combination of Gosselin, Yamane, or JP 051 does not teach all the features of claims 10 and 11. As a result, the Examiner looks to Higgins. Higgins, however, discloses a release film having a transparent or non-transparent film substrate, which is not relevant to the transparent or non-transparent label base of the present invention. Therefore, even if this reference is combined with Gosselin, Yamane, or JP '051, one skilled in the art would still not be led to the presently claimed invention.

Finally, claims 12, 17, 22, and 25 were rejected in view of Gosselin, Yamane, or JP 051 and the admitted prior art of Yamano. Applicant respectfully traverses.

Each of these claims requires that the thermal transfer printed layer include a metallic layer for preventing the fluorescent dye from being transferred to an adherend when the pressure sensitive adhesive label is attached to the adherend. Although the thermal printed ribbon provided by Murata Kinpaku Co., Ltd. is commercially available as described in the specification, there is not suggestion or motivation to apply such a thermal transfer ribbon to a pressure sensitive adhesive label having a pressure sensitive adhesive layer containing fluorescent dye for providing a label as defined by claim 25.

As for Yamano, it discloses a bar code label which is a completely different label than that presently claimed by claims 12, 17, 22, and 25.

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If, for any reason, the Examiner feels that the above amendments and remarks do not put the claims in condition for allowance, the undersigned attorney can be reached at (312) 321-4276 to resolve any remaining issues.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'G. Peter Nichols', written over a horizontal line.

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